

Model rules for departmental examinations-
For non-gazetted (Ministerial) staff in
the offices of Heads of Departments and
Offices subordinate to them -

GOVERNMENT OF MAHARASHTRA
General Administration Department,
Circular No. TRG-1067-T,
Sachivalaya, Bombay-32(BR), Dated 26th September 1967.

C I R C U L A R

REFERENCE:- Government Circular, General Administration Department
No. TRG-1064-T, dated the 25th May 1964.

By the circular under reference Heads of Departments were asked to start training courses for the non-gazetted staff in their Departments. This training is to be given at two levels viz. (a) to clerks soon after recruitment and (b) to persons holding higher posts, before their promotion to supervisory posts. In order that the training may be fruitful, the Heads of Departments have been advised to hold examinations at the end of the training.

In order to provide uniformity in the matter of the rules concerning the passing of the examinations and the penalties in case of failure in the examinations, model rules have been framed for the two levels of examinations mentioned above, for the guidance of all Heads of Departments. These model rules, which are given in Annexures 'I' and 'II' to this Circular, include the common and essential features.

The Heads of Departments will be free to include any other provisions in their departmental rules, or to suitably adopt the model rules, in consultation with the General Administration Department, if, they consider it necessary to do so, on account of any special or peculiar features of problems of their departments. Where the Departments have already framed their rules, they may be revised and brought in line with the model rules.

By order and in the name of the Governor of Maharashtra,

S.A. VIRKAR,
Under Secretary to the Government
of Maharashtra, General Administration Department.

To

All Heads of Departments,

P.T.O.

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All Departments of the Secretariat,
The Accountant General, Maharashtra, Bombay,
The Senior Deputy Accountant General, Maharashtra, Nagpur,
The Pay and Accounts Officer, Bombay,
The Resident Audit Officer, Bombay,
The Secretary, Maharashtra Public Service Commission,
Bombay (BY letter).

No. of 1967.
Copy forwarded for information and guidance to-

ANNEXURE I

POST RECRUITMENT EXAMINATION FOR CLERKS

Model Rules

[To help the Departments to draw up their own rules,
comments are given in square brackets.]

1. These rules shall be called the Post-recruitment (Ministerial) Examination Rules, Department of [Here mention name of the department.]
 2. These rules shall come into force on [mention the date here]. The previous rules in this respect shall cease to be operative on the day these rules come into force.
 3. Every person recruited as clerk (including clerk-typist and other equivalent categories of posts) in the Department of [mention ~~xxxx~~ here the name of the department] after the date on which these rules come into force, shall be required to pass the Post-recruitment (Ministerial) Examination, before he can be confirmed.
 4. Every clerk etc., should pass the examination within 4 years of his joining the service and within 3 chances. ~~X A candidate who fails in all the 3 chances, X shall be dismissed from service.~~
 5. Persons recruited as clerks before the date on which these rules come into force, are exempted from appearing for the examination -
 - (i) if they have completed 3 years' service as clerks etc., on the day on which these rules come into force,
or,
 - (ii) if they are already confirmed as clerks etc.,
or,
 - (iii) if they have already passed a departmental examination under the rules previously in force.
- Persons recruited before the date on which these rules come into force but with less than 3 year's service on that day who are not entitled to exemption under clauses (ii) and (iii) above shall be required to pass the Post-recruitment Examination before they complete 5 years' service.
6. If, for any reason, the examination is not held in a particular year, that year shall be excluded in computing the years of service under these rules.

7. In exceptional circumstances, the Head of the Department may, in his discretion, allow one extra chance to a candidate to appear for the examination and, if necessary, correspondingly extend the period of 4 years ^{5 years}. If a candidate fails even in this extra chance, ~~he shall be discharged from service~~, *his case will be dealt with in accordance with provisions of rule 4 of these Rules*.

Provided that Government may in exceptional circumstances either grant further extension of time to a candidate on merit or condone his failure.

8. The examination shall be in two parts, namely, (I) General subjects and (II) Departmental subjects. The scope of these subjects shall be as shown in Appendix 'A'.

[Each Department shall prepare its own Appendix 'A' to suit its own need

Appendix 'A' should be prepared after taking into consideration the directions contained in Government Circular, General Administration Department No. TRG-1066-T, dated the 2nd August 1966.

Each part should contain about 3 to 4 papers as may be necessary to meet the needs of the Department.

In numbering the papers, it is advisable to follow a uniform convention. All the papers should be serially numbered. The general papers should be numbered first and the departmental papers next. There will, thus, be only one set of serial numbers and no confusion will be caused if a paper is referred to by its serial number only.]

9. Normally the examination shall be held once a year in the month of..... [specify the month here]. If the Head of the Department considers it so necessary for some special reasons, two examinations may be held in the same year.

[It is advisable to fix a definite month of the year for the examination. This will leave no scope for uncertainty and enable the clerks to prepare for the examination in good time. Monsoon is usually a slack period and either July or August or September may be suitable for the purpose.

The rule gives sufficient discretion to the Head of the Department to deal with any exceptional situation.]

10. Each paper shall be of 100 marks and of three hours' duration.

11. Papers Nos. [mention the serial numbers of the papers] shall be without books. Papers Nos. [mention the serial numbers of the papers] shall be without books for which the books mentioned against them in Appendix 'A' shall be supplied.

[On the basis of the importance of each subject, the Department should decide whether a paper may be allowed to be answered with the aid of books or not. Papers on Acts and Rules may be written with books.]

12. The standard for passing the examination shall be 35 percent in each paper and 40 percent in the aggregate.

13. In case of a marginal failure, grace marks up to one percent of the total marks, to be distributed as may be most beneficial to a candidate, will be given if he is thereby able to pass the examination.

14. A candidate who fails in the examination but secures 50 percent marks in any paper, shall be exempted from appearing for that paper in his subsequent attempts.

If a candidate secures 50 percent marks in the aggregate but fails in any paper, he will not be required to appear for the entire examination again. He should appear again only for that paper in which he has failed. For the purpose of rule 4 above he shall be treated to have passed the examination. But he shall not be confirmed or promoted unless he passes in the paper in which he had failed.

15. Failure in the first and second attempt shall not result in stoppage of increment or loss of seniority; but a person who has not passed the examination shall not be promoted to any higher post till he passed the examination. If a person fails in all the three chances and is allowed a fourth or subsequent chance, then he shall not be allowed to draw the increment after his failure in the third attempt until he passes the examination or is exempted from passing it by Government by condoning his failure.

Provided that on passing the examination in the fourth or subsequent attempt or on being exempted, he will draw the increments which were withheld and all subsequent increments will accrue to him as if no increments were withheld. He will not however be entitled to arrears of pay.

APPENDIX 'A'

[To be prepared by each Department according to its needs. 'Part I - general Subjects' will be based on Appendix 'A' to Government Circular, General Administration Department No. TRG-1066-T, dated the 2nd August 1966. 'Part II Departmental Subjects' will be drawn up by the concerned Department.

This Appendix should be drawn up in three columns as shown below:-

Paper No.	Subjects included in the paper	Book(s) prescribed
1	2	3
<u>Part I - General Subjects.</u>		
Paper No . 1
Paper No. 2
.....
<u>Part II - Departmental Subjects.</u>		
Paper No. ____
Paper No. ____
.....

ANNEXURE II

QUALIFYING EXAMINATION FOR PROMOTION TO SUPERVISORY POSTS

Model Rules.

[To help the Departments to draw up their own rules, comments are given in square brackets]

1. These rules shall be called the Qualifying Examination (Ministerial) Rules, Department of..... [here mention the name of the Department.]
2. These rules shall come into force on the [mention the date here]. The previous rules in this respect in force prior to this date, shall cease to be operative on the date these rules come into force.
3. Every member of the ministerial staff in the Department of [here mention the name of the department] after the date on which these rules come into force, shall pass the Qualifying Examination before he is promoted to the post of..... [here mention the lowest supervisory post. A supervisory post is a post, the incumbent of which is required to supervise the work of lower clerical staff. For example, a head of Branch]. For being eligible to appear for the examination a candidate must have passed the Post-Recruitment Examination for clerks, etc., and must have completed five years's continuous service in the Department.
4. A candidate should pass the examination within three chances and within seven years of his promotion as [mention here the promotion post, if any, immediately below the supervisory post such as Assistant/Senior Clerk, etc.]. No person shall be promoted to the post of [mention here the supervisory post] unless he has passed the qualifying examination, provided that this rule shall not apply to short term local vacancies not exceeding three months. A person who does not pass within three chances and within a period of seven years as mentioned above will lose his seniority to all those qualified candidates who are promoted to the post of [mention here the supervisory post] in regular vacancies (i.e. vacancies of more than three months' duration) before he qualifies subsequently.

(Provisions made in the amendments to the model rules, contained in Government Circular, General Administration Department No. TRG-1069-T, dated 21st August 1969.

"A person who has completed four years of service or more in the post of [here mention the post immediately below the supervisory post] on the date these orders come into force should pass the examination within three years from the said date.")

5. Persons who are confirmed in the post of [here mention the supervisory post] or who are officiating as such continuously for a period of two years on the date these rules come into force and also those who have passed a similar departmental examination under the rules previously

in force, shall be exempted from passing the examination under these rules.

(Provisions made in the amendments to the model rules contained in Government Circular, General Administration Department No. TRG-1069-T, dated 21st August 1969.

"Provided that the persons who are officiating in the post of
 [here mention the supervisory post] for a period of less than two years on the date these rules come into force are not entitled to exemption from passing the examination but shall be required to pass it within three years of the said date. If they fail to do so, they will be reverted. They will then take their place with other unqualified persons."

6. In the interim period i.e. the period from the date on which these rules come into force to the date on which the first examination will be held under these rules, promotions to the posts of [mention here the supervisory post] shall be made according to the rules hitherto in force. However, persons so promoted shall pass the qualifying examination within three years of the date on which these rules come into force. If they fail to do so they will be reverted. They will then take their place with other unqualified persons.

7. If, for any reason, the examination is not held in any particular year that year shall be excluded in computing seven years under rule 4.

8. Subject to the condition of loss of seniority laid down in rule 4 above, a candidate will be allowed to take the examination in any number of chances.

9. The examination shall be in two parts, namely, (I) General subjects and (II) Departmental subjects. The scope of these subjects shall be as shown in Appendix 'B'.

[Each Department shall prepare its own Appendix 'B' to suit its own needs.]

Appendix 'B' should be prepared after taking into consideration the directions contained in Government Circular, General Administration Department No. TRG-1066-T, dated the 2nd August 1966.

Each part should contain about 3 or 4 papers as may be necessary to meet the needs of the Department.

In numbering the papers, it is advisable to follow a uniform convention. All the papers should be serially numbered. The general papers should be numbered first and the departmental papers next. There will, thus, be only one set of serial numbers and no confusion will be caused if a paper is referred to by its serial number only.

10. Normally the examination shall be held once a year the month of
 [specify the month here]. If the Head of the Department considers it so necessary for some special reasons, two examinations may be held in the same year or no examination at all may be held.

[It is advisable to fix a definite month of the year for the examination. This will afford no scope to uncertainty and enable the clerks to prepare for the examination in good time. Monsoon is usually a slack period and perhaps July, August or September may be suitable for the purpose.

The rule gives sufficient discretion to the Head of the Department to deal with any exceptional situation.]

11. Each paper shall be of 100 marks and of three hours' duration.

12. Papers Nos. mention the serial numbers of the papers] shall be without books. Paper Nos. mention the serial numbers of the papers] shall be with books, for which the books mentioned against them in Appendix 'B' shall be supplied.

[On the basis of the importance of each subject, the Department should decide whether a paper may be allowed to be answered with the aid of books or not. Papers on Acts and Rules may be with books.]

13. The standard for passing the examination shall be 40 percent in each paper and 50 percent in the aggregate.

14. In case of a marginal failure, grace marks up to one percent of the total marks, to be distributed as may be most beneficial to a candidate, will be given if he is thereby able to pass the examination.

15. A candidate who fails in the examination but secures 60 percent marks in any paper, shall be exempted from appearing for that paper in his subsequent attempts.

If a candidate secures 60 percent marks in the aggregate but fails in any one paper, he will not be required to appear for the entire examination again. He should appear again only for that paper in which he has failed. For the purpose of rule 4 above, he shall be treated to have passed the examination and may be promoted to a supervisory post, but he shall not be continued in the supervisory post unless he passes in the paper in which he had failed, within one year of his promotion to the supervisory post.

APPENDIX 'B'

[To be prepared by each Department according to its needs. 'Part I - General Subjects' will be based on Appendix 'B' to Government Circular, General Administration Department No. TRG-1066-T, dated the 2nd August 1966. 'Part II - Departmental Subjects' will be drawn up by the concerned Department.

This Appendix should be drawn up in three columns as shown below] :-

Paper No.	Subject included in the paper.	Book(s) prescribed.
1	2	3
<u>Part I - General Subjects.</u>		
Paper No. 1
Paper No. 2
<u>Part II - Departmental Subjects.</u>		
Paper No. _____
Paper No. _____
.....
